

Senate File 2316 - Enrolled

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SENATE FILE 2316

AN ACT

RELATING TO THE PROCEDURES FOR FILING ADMINISTRATIVE RULES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 7.17, Code 2005, is amended to read as follows:

7.17 OFFICE OF ADMINISTRATIVE RULES ~~CO-ORDINATOR~~
COORDINATOR.

1. The governor shall establish the office of the administrative rules ~~co-ordinator~~ coordinator, and appoint its staff, which shall be a part of the governor's office. The administrative rules ~~co-ordinator~~ coordinator shall receive all notices and rules adopted pursuant to chapter 17A and provide the governor with an opportunity to review and object to any rule as provided in chapter 17A.

2. ~~The In consultation with the~~ administrative rules ~~co-ordinator~~ coordinator in consultation with coordinator, the administrative code editor shall prescribe a uniform style and form by which an agency shall prepare and file a rule pursuant to chapter 17A, which shall correlate each rule to a uniform numbering system devised by the administrative ~~rules co-ordinator code editor~~ code editor and which shall provide for electronic filing and publication of the rules from the database used to produce the official publications of the administrative rules of this state. The administrative ~~rules co-ordinator code editor~~ shall review all submitted rules for style and form and notify the administrative rules coordinator if a rule is not in proper style or form as provided in section 2B.5, and may return or revise a rule which is not in proper style and form. ~~In prescribing the~~ The style and form, ~~the administrative rules co-ordinator~~ prescribed shall require that the agency include a reference to the statute which the rules are intended to implement.

Sec. 2. Section 17A.4, subsection 1, paragraph a, Code 2005, is amended to read as follows:

a. Give notice of its intended action by submitting ~~three copies of the notice to the administrative rules coordinator, who and the administrative code editor. The administrative rules coordinator~~ shall assign an ARC number to each rulemaking document ~~and forward two copies to the.~~ The administrative code editor for publication shall publish each notice meeting the requirements of this chapter in the Iowa administrative bulletin created pursuant to section 17A.6. Any notice of intended action shall be published at least thirty-five days in advance of the action. The notice shall include a statement of either the terms or substance of the intended action or a description of the subjects and issues involved, and the time when, the place where, and the manner in which interested persons may present their views.

Sec. 3. Section 17A.5, subsection 1, Code 2005, is amended to read as follows:

1. Each agency shall file ~~in~~ each rule adopted by the agency with the office of the administrative rules coordinator ~~three certified copies of each rule adopted by it and provide an exact copy to the administrative code editor.~~ The administrative rules coordinator shall assign an ARC number to each rulemaking document and forward two copies to the administrative code editor. The administrative rules coordinator shall keep a permanent register of the rules open to public inspection. The administrative code editor shall publish each rule adopted in accordance with this chapter in the Iowa administrative code.

Sec. 4. Section 17A.6, subsection 2, Code 2005, is amended to read as follows:

2. ~~Subject to the direction of~~ In consultation with the administrative rules coordinator, the administrative code editor shall cause the Iowa administrative code to be compiled, indexed, and published in accordance with section 2.42 in a form containing all rules adopted and filed by each agency. The administrative code editor further shall ~~cause~~

3 4 publish supplements to the Iowa administrative code to be
~~3 5 published as determined by the administrative rules~~
~~3 6 coordinator and the administrative rules review committee,~~
3 7 containing all rules filed for publication in the prior time
3 8 period. ~~The supplements shall be in such form that they may~~
~~3 9 be inserted in the appropriate places in the permanent~~
~~3 10 compilation.~~ The administrative ~~rules coordinator code editor~~
3 11 shall devise a uniform numbering system for rules and may
3 12 renumber rules before publication to conform with the system.
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3 16 _____
3 17 JOHN P. KIBBIE
3 18 President of the Senate
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3 22 CHRISTOPHER C. RANTS
3 23 Speaker of the House

3 24 I hereby certify that this bill originated in the Senate and
3 25 is known as Senate File 2316, Eighty-first General Assembly.
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3 29 _____
3 30 MICHAEL E. MARSHALL
3 31 Secretary of the Senate

3 32 Approved _____, 2006
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3 34 _____
3 35 THOMAS J. VILSACK
4 1 Governor